

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

JUN -5 2013

UNITED STATES OF AMERICA

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DAVID J. MALAND, CLERK

VS.

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BY

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CRIMINAL NO.

DEPUTY _____

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TERRENCE EWING SYLER

*

1:13cr59
Judge Heartfield

INFORMATION

THE UNITED STATES ATTORNEY CHARGES:

Count One

(Violation: 18 U.S.C. § 1347
Health Care Fraud)

Beginning on or about January, 2007 through October, 2012, **Terrence Ewing Syler**, defendant, in the Eastern District of Texas, did knowingly execute and attempt to execute a scheme and artifice to defraud and to obtain by false and fraudulent pretenses and representations, the money owned by or under the custody or control of a health care benefit program, in connection with the delivery of and payment for health care benefits program and services, to wit, the Texas Medicaid Program, a federally funded health care benefits program, by submitting or causing to be submitted a claim to the Texas Medicaid program for a palatal expander which was never installed in the patient's mouth.

In violation of 18 U.S.C. § § 1347.

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

Pursuant to 21 U.S.C. § 853, 18 U.S.C. § 3665,

18 U.S.C. § 924(d)(1) and/or 28 U.S.C. § 2461

Upon conviction of the offense alleged in Count One, defendant, Terry Ewing Syler, shall forfeit to the United States, pursuant to Title 18 United States Code, § 982(a)(7), any property constituting or derived from proceeds obtained directly or indirectly as a result of the said violations, including but not limited to the following:

1. PERSONAL PROPERTY

A. MONEY JUDGMENT, being a sum of money equal to \$829,332.94 in United States currency representing the amount of proceeds obtained as a result of a health care offense, in violation of Title 18 United States Code, § 1347.

2. SUBSTITUTE ASSETS

If any of the above-described forfeitable property, as a result of any act or omission of the Defendant:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to Title 21 United States Code, § 853(p) as incorporated by Title 18 United States Code, § 982(b), to seek forfeiture of any

other property of said Defendant up to the value of the forfeitable property described above.

By virtue of the commission of the offenses alleged in Count One of this Information, any and all interest the Defendant has in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to Title 18 United States Code, § 982(a)(7)

JOHN M. BALES
UNITED STATES ATTORNEY

A handwritten signature in black ink, appearing to read "Christopher T. Tortorice", is written over a horizontal line.

CHRISTOPHER T. TORTORICE
ASSISTANT UNITED STATES ATTORNEY

IN THE UNITED STATES DISTRICT COURT
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CRIMINAL NO. 1:13 cr 59

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TERRENCE EWING SYLER

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NOTICE OF PENALTY

Count One

Violation: 18 U.S.C. § 1347 (Health Care Fraud)

Penalty: Not more than 10 years imprisonment; a fine of not more than \$250,000, or both. A term of supervised release of not more than three years.

Mandatory assessment: \$100.00